IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 4807 of 2005

Between:

Kumari U.V.Nookambika, d/o Bhaskara Rao,
r/o Tilak Road, Rajahmundry, East Godavary District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Rampachodavaram, E.G.District.
2 The Commissioner, Peddapuram Municipality, E.G.District.
3 The Commissioner, Nidavavolu Municipality, Nidadavolu, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not issuing the permanent caste certificate (Valmiki Scheduled Tribe) in pursuance of my application as illegal, arbitrary and also declaring the action of the respondents 2 & 3 in insisting to produce permanent caste certificate as being contrary to Sec.21 of A.P.(S.C.S.T. & B.C.) Regulation of issue of community certificates Act, 1993 and consequently direct the respondents 2 & 3 not to take any coercive steps against the petitioner in pursuance of memo dt.3-3-2005 issued by the 3rd respondent and to pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for Respondent Nos.2 and 3: MR S.NAGESWARA REDDY

The Court at the admission stage made the following:

ORDER:

Declaring the action of the 1st respondent in not issuing the permanent caste certificate (Valmiki Scheduled Tribe), in pursuance of petitioner's application, as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Social Welfare.

Admittedly, the 1st respondent/Mandal Revenue Officer is competent person to issue a permanent caste certificate, after conducting necessary enquiry.

Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the

1st respondent/Mandal Revenue Officer to issue a permanent caste certificate to the petitioner, if he is found to be Valmiki Scheduled Tribe, after conducting necessary enquiry, if not already conducted, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of. No order as to costs.

Dated: 14.03.2005

Dsr

ASSISTANT REGISTRAR

Note:

Issue CC by tomorrow

B/o

Dsr

To:

1. The Mandal Revenue Officer,

Rampachodavaram, East Godavary District

2. The Commissioner,

Peddapuram Municipality,

East Godavary District

3. The Commissioner,

Nidadavolu Municipality,

Nidadavolu, East Godavary District

4. Two CCs to the Government Pleader

for Social Welfare, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies